



Substitute Senate Bill No. 74

Public Act No. 06-42

AN ACT CONCERNING THE REGULATION OF AMUSEMENT RIDES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 29-133 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2006*):

When used in sections 29-134 to 29-142, inclusive:

(1) "Amusement" means any circus or carnival presented in the open, including a place where one or more [mechanical] rides or devices capable of accommodating [five or more persons] one or more passengers and normally requiring the supervision or services of an operator are presented for amusement or entertainment purposes, and any circus, carnival or other portable show or exhibition presented under any single tent, air-supported plastic or fabric or other portable shelter, and involving the assembly of one hundred or more persons. "Amusement" does not include an inflatable device leased for private residential use;

(2) "Commissioner" means the Commissioner of Public Safety;

(3) "Insurance commissioner" means the state Insurance Commissioner;

Substitute Senate Bill No. 74

(4) "Grandstand" means any structure, either with or without a roof, providing seating for one hundred or more persons;

(5) "Owner" means the proprietor, operator, agent or possessor of such amusement;

(6) "Tent" means any structure with or without side panels having wood or metal supports and using any kind of a textile or similar material for coverage, and having a capacity sufficient to shelter one hundred or more persons or covering a ground area of more than one thousand two hundred square feet.

Sec. 2. Section 29-136 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2006*):

(a) [On] Upon receipt of an application for an amusement license, the Commissioner of Public Safety or the commissioner's designee shall [cause a full investigation and inspection of] investigate and inspect in full the location, equipment, paraphernalia, mechanical amusement rides and devices in respect to such amusement and all other matters relating thereto [to be made] and shall determine whether or not such amusement will be reasonably safe for public attendance and may make reasonable orders concerning alterations, additions or betterments to the equipment, paraphernalia, mechanical amusement rides and devices, and concerning the character and arrangement of the seating, means of egress, lighting, fire-fighting appliances, fire and police protection and such other provisions as shall make the amusement reasonably safe against both fire and casualty hazards.

(b) When any serious physical injury, as defined in subdivision (4) of section 53a-3, or death occurs in connection with the operation of any amusement ride or device, the owner of such ride or device shall, within four hours after such occurrence, report the injury or death to

Substitute Senate Bill No. 74

the commissioner or [his] the commissioner's designee. [Within] Not later than four hours after receipt of any such report, the commissioner or [his] the commissioner's designee shall cause an investigation of the occurrence and an inspection of the ride or device to determine the cause of such serious physical injury or death. The commissioner or [his] the commissioner's designee may enter into any place or upon any premises so licensed in furtherance of such investigation and inspection. Unless otherwise authorized by the commissioner, no amusement ride or device subject to the provisions of this chapter may be operated or altered nor shall it be removed from the location where such injury or death occurred for seventy-two hours after the time of the receipt of the report.

(c) The Commissioner of Public Safety may grant variations from, or approve equivalent or alternate compliance with, particular provisions of this section or any regulation adopted under the provisions of subsection (d) of this section where strict compliance with such provisions would result in exceptional practical difficulty or undue hardship provided any such variation or approved equivalent or alternate compliance shall, in the opinion of the Commissioner of Public Safety, secure the public safety.

[(c)] (d) The commissioner may adopt regulations in accordance with the provisions of chapter 54 to carry out the provisions of this section.

Sec. 3. (NEW) (*Effective October 1, 2006*) Nothing in section 29-133 or 29-136 of the general statutes, as amended by sections 1 and 2 of this act, shall be construed to preclude the hiring of certified lifeguards under the age of eighteen to oversee aquatic rides and devices such as pools, water slides, lazy rivers, or interactive aquatic play devices, provided an adult of at least eighteen years of age who is trained in normal operating and emergency procedures supervises the area containing such aquatic rides or devices.

Substitute Senate Bill No. 74

Approved May 8, 2006